GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA

UNSTARRED QUESTION NO:7396
ANSWERED ON:15.05.2002
MEDICAL COUNCIL
A. VENKATESH NAIK;DINESH CHANDRA YADAV;PRABHUNATH SINGH;RADHA MOHAN SINGH;RAM JEEVAN SINGH

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

(a) whether it is a fact that a Medical Council was set up for the purpose of reviewing cases relating to medical negligence in the Government hospitals;

(b) if so, the number of medical negligence cases examined by the Medical Council since its inception;

(c) the number of cases in which medical negligence in Government hospitals was established; and

(d) the action taken by the Government in such cases?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a)to(d): The Medical Council of India was established under the Indian Medical Council Act, 1933 which was replaced by the Indian Medical Council Act, 1956 and its main functions inter-alia, are inspection/visitation of medical colleges with a view to maintaining proper standards of medical education in India and for recommending to the Central Government for grant of permission to open medical colleges, increase of seats, to start postgraduate courses, recognition/de-recognition of Indian medical qualifications and foreign medical qualifications; maintenance of Indian Medical Register and registration of additional qualifications; issue of good standing certificate etc. As per the provisions of section 20A of the Act read with section 33 (power to make regulations), the Council with the approval of the Central Government have notified in the Official Gazette on 6th April,2002 the Indian Medical Council (Professional conduct, Etiquette and Ethics) Regulations, 2002.These Regulations, inter-alia, indicate the acts of commission or omission on the part of a doctors which shall constitute professional misconduct or unethical acts rendering him/her liable for disciplinary actions. So far as medical negligence in Government hospitals is concerned, as and when such complaints are received, they are referred to the State Medical Councils where the doctor concerned is registered and the State authorities concerned for necessary action. As regards complaints against doctors registered directly with the Medical Council of India, action is taken by the Council through the Ethical Committee of the Council.The records of complaints against doctors since its inception is not available with Medical Council of India.However, as per information received from the Council for the years 1999, 2000 & 2001 they have received 36,28, & 32 complaints respectively against the doctors working in Government hospitals which have been referred to the concerned State Medical Councils for necessary action where these doctors are registered.